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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/865,230	05/25/2001	Nicholas J. Elsey	41698.1007	2619

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EXAMINER

ELAHEE, MD S

ART UNIT PAPER NUMBER

2614

DATE MAILED: 08/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 09/865,230	Applicant(s) ELSEY ET AL.	
	Examiner Md S. Elahee	Art Unit 2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 26 May 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 13-17, 92-96 and 154-160 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 13-17, 92-96, 154-160 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

This application has been transferred from examiner Allan Hoosain to examiner Alam Elahee.

#### ***Response to Amendment***

1. This action is responsive to an amendment filed on 05/26/2006. Claims 13-17, 92-96, 154-160 are pending. Claims 1-12, 18-91, 97-153 have been cancelled out.

#### ***Response to Arguments***

2. Applicant's arguments filed on 05/26/2006 have been fully considered but are moot in view of the new ground(s) of rejection which is deemed appropriate to address all of the needs at this time.

#### ***Claim Objections***

3. Claim 158 is objected to because of the following informalities: regarding claim 158, the phrase "second information source" in line 17 of the claim appears to be "first information source". Appropriate correction is required.

#### ***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 13, 92 and 154 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

6. Regarding claims 13, 92 and 154, the phrase "other information source" renders the claim indefinite because it is unclear whether the other information source is second information source or first or third or any other information source.

7. Claim 13 recites the limitation "the other information source" in lines 15, 16 of the claim. There is insufficient antecedent basis for this limitation in the claim. Claims 92 and 154 are rejected for the same reasons as discussed above with respect to claim 13.

***Claim Rejections - 35 USC § 102***

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

9. Claims 13,14,17,92,93,96,154,155 and 157-160 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by **Szlam et al.** (US 5,675,637).

As to Claims 13,92,154,158, with respect to Figures 1,3-5, **Szlam** teaches a system for managing at least first and second information sources comprising:

a HOST1 [i.e., first device] (fig.1) comprising:

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a processor (Note; processor is inherent for HOST1); and

a first memory configured to store a first information source (col.14, lines 1-2);

a HOST2 [i.e., second device] located remotely from the first device (fig.1), the second device comprising:

a second memory configured to store a second information source (col.10, lines 48-50);

an agent workstation [i.e., interface] (fig.1, item 10) configured to:

establish a communication connection between the first device and the second device (fig.1);

wherein the processor is further configured to:

select at least one direction of a flow of information between the first information source and the second information source (col.17, lines 53-64, col.18, lines 32-41, 64-67, col.19, lines 1-12); and

update, via the communication connection, at least one of the first information source and the second information source with information in the other information source in accordance with the at least one direction (col.20, lines 30-44).

As to Claims 14,93, **Szlam** teaches the system of claim 13 wherein the first and second information sources contain contacts information (col.10, lines 45-48).

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As to Claims 17,96, **Szlam** teaches the system of claim 13 wherein the first information source is updated while the system is idle (col.20, lines 30-44).

As to Claims 155,160, **Szlam** teaches the system of claims 154,158, wherein the first device or second device comprises a personal computer (PC) (fig.1, item 13).

As to Claim 157, **Szlam** teaches the system of claim 154, wherein the second device is associated with an information assistance service (fig.1).

As to Claim 159, **Szlam** teaches the system of claim 158, wherein the first device is located in a call center associated with an information assistance service (fig.1).

### ***Claim Rejections - 35 USC § 103***

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.

4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

12. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

13. Claims 15,94 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Szlam**.

As to Claims 15,94, **Szlam** teaches that the method of claim 92 wherein the database contains date of shipped or to be shipped [i.e., appointments information] (col.10, lines 51-53);

However, **Szlam** does not specifically teach that the first and second information sources contain appointments information. Examiner takes Official Notice that the first and second information sources containing appointments information is well known in the art. Thus, it would have been obvious to one of ordinary skill in the art the time the invention was made to incorporate appointments information in the first and second information sources of **Szlam's** invention in order to receive the schedule information for particular shipment of products of a particular party.

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14. Claims 16,95 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Szlam** in view of **Stuntebeck et al.** (US 6,065,016).

As to Claims 16,95, **Szlam** teaches the system of claim 13 wherein the communication connection includes a network (Figure 1);

**Szlam** does not teach the following limitation:

“an Internet connection”

However, it is obvious that **Szlam** suggests the limitation. This is because **Szlam** teaches connections to a network and database contains e-mail (fig.1; col.10, lines 24-27). **Stuntebeck** teaches the limitation (Figure 1, label 50). Having the cited analogous art at the time the invention was made, it would have been obvious to one of ordinary skill in the art to add Internet connection to **Szlam**’s invention for accessing directory services as taught by **Stuntebeck**’s invention in order to provide numerous access channels.

15. Claim 156 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Szlam** in view of **Huna** (US 6,944,273).

As to Claim 156, **Szlam** does not specifically teach, “the first device comprises a personal information management (PIM) software application”. **Huna** teaches the limitation (col.10, line 62-col.11, line 10). Having the cited analogous art at the time the invention was made, it would have been obvious to one of ordinary skill in the art to incorporate a personal information management (PIM) software application in the first device as taught by **Huna**’s in order to



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provide a user with the ability to establish a link between a calendar event and a programmed response.

### *Conclusion*

16. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

**Culbreth et al.** (US 5,953,393) teach personal telephone agent, and

**Sood** (US 6,697,632) teaches Multi-media coordinated delivery system and method.

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Md S. Elahee whose telephone number is (571) 272-7536. The examiner can normally be reached on Mon to Fri from 8:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

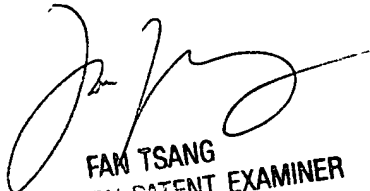
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like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ME

MD SHAFIUL ALAM ELAHEE

August 2, 2006



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